

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wagle, et al.
Serial No.: 10/038,117
Filed: December 31, 2001
For: Method for Treating Fibrotic Diseases
Or Other Indications IV C

:
: Group Art Unit No.: 1619
: Examiner: Unknown
:

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on April 1, 2002.

By: Peggy Ferello
Peggy Ferello

**TRANSMITTAL LETTER
&
SMALL ENTITY STATEMENT**

Transmitted herewith are the following documents in the above-identified application:

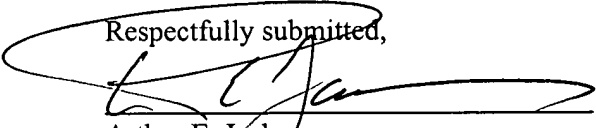
- ☒ Response to Notice of Missing Parts of Non-provisional Application;
- ☒ Declaration and Power of Attorney;
- ☒ Fee Transmittal Form;
- ☒ Check No. 1005091 in the amount of \$435.00;
- ☒ Copy of Notice To File Missing Parts of Non-provisional Application; and
- ☒ Acknowledgment postcard.

Applicants request that any additional fees required by these papers be charged, or any overpayment be credited, to Deposit Account No. 04-0480.

Small Entity Statement

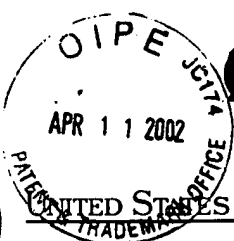
I hereby declare that the Assignee, Alteon, Inc., qualifies as a small business concern as defined in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent Office under 37 CFR 1.27(c).

Respectfully submitted,



Arthur E. Jackson
Registration No. 34,354
Attorney for Applicant

DECHERT
P. O. Box 5218
Princeton, NJ 08543
Attn: Arthur E. Jackson, Esq.
(609) 620-3254
Fax: (609) 620-3259



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/038,117	12/31/2001	Dilip Wagle	361331-513

CONFIRMATION NO. 5389

FORMALITIES LETTER



OC000000007402510

25561
ALLEN BLOOM
C/O DECHERT
PRINCETON PIKE CORPORATION CENTER
P.O. BOX 5218
PRINCETON, NJ 08543-5218

Date Mailed: 01/31/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 870.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/12/2002 HND0R1 00000064 10038117
01 FC:201 370.00 OP
02 FC:205 65.00 OP

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
361331-513

In Re Application Of: Wagle, et al

APR 11 2002

Serial No.
10/038,117

Filing Date
December 31, 2001

Examiner
Unknown

Group Art Unit
1619

Invention:

METHOD FOR TREATING FIBROTIC DISEASES OR OTHER INDICATIONS IV C

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
January 31, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ _____ verified small entity declaration(s)
 - ☒ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

Fee Transmittal Form
Check No. 1005091 in the amount of \$435.00
Acknowledgement Postcard

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Small Entity)

Docket No.
361331-513

In Re Application Of: Wagle, et al.

Serial No.
10/038,117

Filing Date
December 31, 2001

Examiner
Unknown

Group Art Unit
1619

Invention:

METHOD FOR TREATING FIBROTIC DISEASES OR OTHER INDICATIONS IV C

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☒ Completion of application fees as calculated below:

<input checked="" type="checkbox"/> Utility application filing fee	\$370.00
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☐ Design application filing fee

☐ Total number of independent claims =

☐ Total number of claims =

☐ Multiple dependent claims

<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	\$65.00
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☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees \$435.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ Date _____ until: _____ Date _____

Total time extension fees

Total fees due \$435.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
361331-513

In Re Application Of: **Wagle, et al.**

Serial No.
10/038,117

Filing Date
December 31, 2001

Examiner
Unknown

Group Art Unit
1619

Invention:

METHOD FOR TREATING FIBROTIC DISEASES OR OTHER INDICATIONS IV C

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$435.00** is to be paid as follows:


- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **04-0480**
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **04-0480**
A duplicate copy of this sheet is enclosed.


Signature

Arthur E. Jackson
Reg. No. 34,354
DECHERT
P. O. Box 5218
Princeton, NJ 08543
Tele: (609) 620-3254
Fax: (609) 620-3259

Dated: **April 1, 2002**

I certify that this document and fee is being deposited on **April 1, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Peggy Ferello

Typed or Printed Name of Person Mailing Correspondence

CC:



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 435.00

Complete if Known

Application Number	10/038,117
Filing Date	December 31, 2001
First Named Inventor	Wagle
Examiner Name	Unknown
Group Art Unit	1619
Attorney Docket No.	361331-513

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 04-0480
Deposit Account Name _____

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	370.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 370.00

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 65.00

SUBMITTED BY

Name (Print/Type) Arthur E. Jackson
Signature _____

Registration No. (Attorney/Agent) 34,354

Complete (if applicable)

Telephone 609-620-3254
Date April 1, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.